REMARKS

Initially, in accordance with Applicant's duty to provide information regarding the substance of an interview, a personal interview was held on April 12, 2006, between Applicant's representative, Primary Patent Examiner Prieto, and Examiner Ailes. Applicant would first like to thank Examiners Prieto and Ailes for the courtesies extended during the personal interview. During that interview, the rejection based on Wolff (U.S. Patent No. 6,247,047) in view of Unold et al. (U.S. Patent Application Publication No. 2002/0055880) was discussed. The Examiners agreed to reconsider the rejections upon the filing of this After Final Amendment.

In the final Office Action, the Examiner rejected claims 18-39 under 35 U.S.C. § 103(a) as unpatentable over Wolff (U.S. Patent No. 6,247,047) in view of Unold et al. (U.S. Patent Application Publication No. 2002/0055880).

By this Amendment, Applicant proposes amending claims 18, 22, 26, and 28 to improve form solely to expedite prosecution and without acquiescing in the Examiner's rejection. Applicant respectfully traverses the Examiner's rejection under 35 U.S.C. § 103. Claims 18-39 remain pending.

In paragraphs 4-21 of the final Office Action, the Examiner rejected claims 18-39 as allegedly unpatentable over Wolff in view of Unold et al. Applicant respectfully traverses the rejection.

Amended independent claim 18, for example, is directed to a method for enticing users to access a web page. The method comprises modifying a standard company logo for a special event to create a special event logo; associating one or more search terms with the special event logo, the one or more search terms relating to the special event; uploading the special event logo

to the web page; receiving a user selection of the special event logo; and invoking a search relating to the special event based on the one or more search terms in response to the user selection.

Neither Wolff nor Unold et al., whether taken alone or in any reasonable combination, discloses or suggests the combination of features recited in claim 18. For example, neither Wolff nor Unold et al. discloses or suggests modifying a standard company logo for a special event to create a special event logo.

The Examiner alleged that Wolff discloses the use of a standard company logo and cited column 8, lines 35-40, of Wolff for support (final Office Action, paragraph 5). Applicant respectfully disagrees.

At column 8, lines 35-42, Wolff discloses:

> At step 200, a WWW page 100 is displayed on display 18 of a user node 14. Page 100 is retrieved from sponsor server 50 (FIG. 1) when server 50 is accessed by specifying its URL during a browsing session by the user. Page 100 is specified by HTML file 52 which, as described above, caused an icon or advertising banner 102 to be displayed. Banner 102, displayed on a geographic area 104 of page 100, includes graphics relating to a particular product or service being advertised.

In this section, Wolff discloses displaying an advertising banner relating to a particular product or service being advertised on a web page. It appears that the Examiner is alleging that an advertising banner is equivalent to a company logo. Applicant submits that such an allegation is unreasonable because an advertising banner is quite different from a company logo. They are designed for different purposes and they implement different functionality. An advertising banner typically includes advertising material that offers a product or service for sale. It may be possible for an advertising banner to include a company logo with the advertising material (see, e.g., paragraphs 0125 and 0126 of Unold et al.), but an advertising banner is definitely not equivalent to a company logo. Wolff does not even mention a company logo. Therefore, Wolff

cannot disclose the ability to modify a standard company logo, as alleged by the Examiner.

In response to a similar argument previously presented by Applicant, the Examiner alleged:

> Through broadest reasonable interpretation of the term "company logo" it is interpreted by the Examiner to mean anything or any type of representation of a company including any type of advertisement for the company which is used to "represent" the company. It is well known that one company can be represented by a plurality of different logos in a plurality of ways of media (animation, video, pictures, etc.). It is therefore maintained by the Examiner that a company logo when altered is quite often done to "attract" a consumer, making the company seem more different and unique when compared with other companies. The same reasoning is used for advertising. Advertising is used to "attract" customers to a product sold by the company by attempting to be unique and different. Therefore, it is concluded by the Examiner that a company logo is in fact equivalent in functionality to an advertisement logo.

(final Office Action, paragraph 23). Applicant respectfully submits that the Examiner's allegations are premised on an incorrect presumption by the Examiner. The Examiner alleged that companies are represented by a plurality of different logos and that companies often alter their company logos to attract customers. Applicant disagrees. Companies do not typically alter their company logos to attract customers. In fact, the opposite it true. A company's logo is quite often their trademark and they keep it the same so that customers know that they are dealing with the company and not some other company. Therefore, the Examiner's allegation that "a company logo when altered is quite often done to 'attract' a consumer, making the company seem more different and unique when compared with other companies" finds no basis in fact.

The Examiner admitted that Wolff does not disclose modifying a standard company logo to become a special event logo (final Office Action, paragraph 5). The Examiner alleged that Unold et al. discloses the ability to alter a standard company logo to become a special event logo in accordance with a special event and cited paragraph 0007 of Unold et al. for support (final Office Action, paragraph 5). Applicant respectfully disagrees.

At paragraph 0007, Unold et al. discloses:

> Therefore, there exists in the industry, a need for a system and method for enabling the rapid creation of electronic advertisements, for rapidly changing or replacing advertisements in response to market and sales trends, changes in customer preferences, or the occurrence of a holiday or special event, for controlling access to digital signs, and for addressing these and other related, and unrelated, problems.

In this section, Unold et al. discloses the need for a system and method to rapidly create, change, and replace advertisements. It appears again that the Examiner is alleging that an advertisement is equivalent to a company logo. As explained above, such an allegation is unreasonable because advertisements are quite different from company logos. Therefore, the need for rapidly creating, changing, and replacing advertisements, as identified by Unold et al., falls short of curing the deficiencies in the disclosure of Wolff.

Therefore, even if Wolff and Unold et al. were combinable (a point that Applicant does not concede), the combined system would not disclose or suggest modifying a standard company logo for a special event to create a special event logo, as required by claim 18.

Even assuming, for the sake of argument, that an advertisement can be equated to a company logo, Wolff and Unold et al. do not disclose or suggest associating one or more search terms with a special event logo, where the one or more search terms relate to the special event. The Examiner alleged that Wolff discloses associating one or more search terms with a company logo (final Office Action, paragraph 5) and that it would have been obvious to associate a search term with the special event because Wolff discloses associating a search term with a company logo, therefore, "the search term would have to be related to the special event logo in some sort of way" (final Office Action, paragraph 8). Applicant respectfully submits that the Examiner's obviousness statement falls short of establishing a prima facie case of obviousness.

Wolff discloses that a URL and unique indicia identifying the product or service being

advertised is embedded within an advertising banner (col. 8, lines 43-48). Wolff discloses that if a user clicks on the advertising banner, the host server (associated with the advertiser) uses the unique indicia to search a product/service database for a record containing information specific to the advertised product or service (col. 9, lines 3-7). Nowhere does Wolff disclose or remotely suggest that this unique indicia is related to a special event, as required by claim 18. The Examiner's allegation that the unique indicia "would have to be related" to a special event is unsupported by any facts.

Because neither Wolff nor Unold et al. discloses or suggests associating one or more search terms with the special event logo, where the one or more search terms relate to the special event, Wolff and Unold et al., whether taken alone or in any reasonable combination, cannot disclose or suggest invoking a search relating to the special event based on the one or more search terms in response to the user selection, as further required by claim 18.

For at least these reasons, Applicant submits that claim 18 is patentable over Wolff and Unold et al., whether taken alone or in any reasonable combination. Claims 19-21, 23-25, and 34 depend from claim 18 and are, therefore, patentable over Wolff and Unold et al. for at least the reasons given with regard to claim 18. Claims 19-21, 23-25, and 34 are also patentable over Wolff and Unold et al. for reasons of their own.

For example, claim 19 recites creating the special event logo by modifying the standard company logo with one or more animated images. Neither Wolff nor Unold et al. discloses or suggests this combination of features.

The Examiner alleged that Unold et al. discloses the ability to modify a logo with animated images, video, and audio data and cited paragraph 0047, lines 9-13, of Unold et al. for

support (final Office Action, paragraph 6). Applicant respectfully disagrees.

At paragraph 0047, lines 9-13, Unold et al. discloses:

> Each digital sign 108, preferably, comprises: a display subsystem capable of displaying video or still images received in the form of digital signals; an audio subsystem capable of producing and delivering audible sound from received digital signals therefor.

In this section, Unold et al. discloses that a digital sign is capable of displaying video or still images and producing audible sound. The Examiner appears to allege that a digital sign is equivalent to a company logo. Unold et al. describes a digital sign as a device that includes a display via which an advertiser can advertise its products or services in locations, such as airports, shopping malls, exhibit halls, taxi cabs, etc. (paragraphs 0047 and 0048). Applicant submits that it is unreasonable to equate a digital sign device to a company logo since they are two very different things.

In response to a similar argument previously presented by Applicant, the Examiner alleged that it is "deemed obvious in the art that a digital display can display animated images" (final Office Action, paragraph 26). Applicants respectfully submit that the Examiner's allegation falls short of establishing a prima facie case of obviousness. The mere fact that a digital display can display animated images falls way short of rendering obvious creating a special event logo by modifying a standard company logo with one or more animated images, as required by claim 19.

For at least these additional reasons, Applicant submits that claim 19 is patentable over Wolff and Unold et al.

Claim 20 recites creating the special event logo by modifying the standard company logo with at least one of video or audio data. Neither Wolff nor Unold et al. discloses or suggests this

combination of features.

The Examiner alleged that Unold et al. discloses the ability to modify a logo with animated images, video, and audio data and cited paragraph 0047, lines 9-13, of Unold et al. for support (final Office Action, paragraph 6). Applicant respectfully disagrees.

Paragraph 0047, lines 9-13, of Unold et al. has been reproduced above. In this section, Unold et al. discloses that a digital sign is capable of displaying video or still images and producing audible sound. As explained above with regard to claim 19, Applicant submits that it is unreasonable to equate a digital sign device to a company logo since they are two very different things. Applicant further submits that the mere fact that a digital display device can display video and produce audible sound falls way short of rendering obvious creating the special event logo by modifying the standard company logo with at least one of video or audio data, as required by claim 20.

For at least these additional reasons, Applicant submits that claim 20 is patentable over Wolff and Unold et al.

Claim 25 recites determining a home page for the web page on a network, identifying the standard company logo on the home page, and modifying the standard company logo with special event information to create the special event logo. Neither Wolff nor Unold et al. discloses or suggests this combination of features.

For example, neither Wolff nor Unold et al. discloses or suggests determining a home page for a web page on a network. The Examiner alleged that Wolff discloses this feature and cited column 8, lines 35-40, of Wolff for support (final Office Action, paragraph 11). Applicant respectfully disagrees.

Column 8, lines 35-42, of Wolff has been reproduced above. In this section, Wolff discloses retrieving a page 100 during a browsing session by a user. Nowhere in this section, or elsewhere, does Wolff disclose or remotely suggest determining a home page for a web page on a network, as required by claim 25.

If the Examiner persists with this rejection, Applicant respectfully requests that the Examiner provide a reasonable explanation of how the above-cited portion of Wolff discloses or suggests determining a home page for a web page on a network, as required by claim 25. If the Examiner cannot provide a reasonable explanation, then the Examiner must withdraw the rejection.

Wolff and Unold et al. also do not disclose or suggest identifying a standard company logo on the home page. The Examiner alleged that Wolff discloses this feature and cited column 8, lines 35-40, of Wolff for support (final Office Action, paragraph 11). Applicant respectfully disagrees.

Column 8, lines 35-40, of Wolff has been reproduced above. In this section, Wolff discloses that an advertising banner is displayed on a web page. As explained above with regard to claim 18, an advertising banner is not equivalent to a company logo. Therefore, contrary to the Examiner's allegation, Wolff does not disclose or remotely suggest identifying a standard company logo on a home page, as required by claim 25.

For at least these additional reasons, Applicant submits that claim 25 is patentable over Wolff and Unold et al.

Amended independent claim 26 recites features similar to, but possibly different in scope from, features recited in claim 18. Claim 26 is, therefore, patentable over Wolff and Unold et al.,

whether taken alone or in any reasonable combination, for at least reasons similar to reasons given with regard to claim 18. Claims 29-31 and 35 depend from claim 26 and are, therefore, patentable over Wolff and Unold et al. for at least the reasons given with regard to claim 26. Claims 29-31 and 35 also recite features similar to, but possibly different in scope from, features recited in claims 19-21, 23-25, and 34. Claims 29-31 and 35 are, therefore, also patentable over Wolff and Unold et al. for reasons similar to reasons given with regard to claims 19-21, 23-25, and 34.

Independent claim 27 is directed to a server connected to a network. The server comprises a memory configured to store instructions and a processor configured to execute the instructions to determine a home page for a web page on the network, identify a standard company logo on the home page, modify the standard company logo with special event information corresponding to a special event to create a special event logo, and replace the standard company logo with the special event logo during the special event.

Neither Wolff nor Unold et al., whether taken alone or in any reasonable combination, discloses or suggests the combination of features recited in claim 27. For example, neither Wolff nor Unold et al. discloses or suggests a processor configured to determine a home page for a web page on a network or identify a standard company logo on the home page, for at least reasons similar to reasons given with regard to claim 25.

The Examiner alleged that Wolff discloses retrieving data from a sponsor server that the Examiner alleged is the same as a home page (final Office Action, page 29). Applicant respectfully disagrees. A server and a home page are two totally different things and any argument that they are equivalents finds no basis in fact.

Wolff and Unold et al. also do not disclose or suggest a processor configured to modify a standard company logo with special event information corresponding to a special event to create a special event logo, as further recited in claim 27, for at least reasons similar to reasons given with regard to claim 18.

Wolff and Unold et al. also do not disclose or suggest a processor configured to replace the standard company logo with the special event logo during the special event, as further recited in claim 27. The Examiner did not address this feature and, therefore, did not establish a prima facie case of obviousness with regard to claim 27.

For at least these reasons, Applicant submits that claim 27 is patentable over Wolff and Unold et al., whether taken alone or in any reasonable combination. Claims 32 and 33 depend from claim 27 and are, therefore, patentable over Wolff and Unold et al. for at least the reasons given with regard to claim 27.

Independent claim 28 recites features similar to, but possibly different in scope from, features recited in claims 18-20. Claim 28 is, therefore, patentable over Wolff and Unold et al., whether taken alone or in any reasonable combination, for at least reasons similar to reasons given with regard to claims 18-20. Claim 36 depends from claim 28. Claim 36 is, therefore, patentable over Wolff and Unold et al. for at least the reasons given with regard to claim 28.

Independent claim 37 recites features similar to, but possibly different in scope from, features recited in claim 18. Claim 37 is, therefore, patentable over Wolff and Unold et al., whether taken alone or in any reasonable combination, for at least reasons similar to reasons given with regard to claim 18. Claims 22, 38, and 39 depend from claim 37 and are, therefore, patentable over Wolff and Unold et al. for at least the reasons given with regard to claim 37.

In view of the foregoing amendments and remarks, Applicant respectfully requests the Examiner's reconsideration of the application and the timely allowance of pending claims 18-39.

Applicant respectfully requests that this Amendment under 37 C.F.R. § 1.116 be entered by the Examiner, placing claims 18-39 in condition for immediate allowance. Applicant submits that the proposed amendments do not raise new issues or necessitate the undertaking of any additional search of the art by the Examiner, since all of the elements and their relationships claimed were either earlier claimed or implied in the claims as examined. Therefore, this Amendment should allow for immediate action by the Examiner. Further, Applicant submits that the entry of this Amendment would place the application in better form for appeal, should the Examiner dispute the patentability of the pending claims.

If the Examiner does not believe that all pending claims are now in condition for allowance, the Examiner is urged to contact the undersigned to expedite prosecution of this application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1070 and please credit any excess fees to such deposit account.

Respectfully submitted,

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